I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 13, 2008

EXPEDITED PROCEDURE

Group Art Unit: 3733

Docket No.: SPINE 3.0-455 CIP CONT III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:

Zubok et al.

Application No.: 10/781,506

Filed: February 18, 2004

For: INSTRUMENTATION AND METHODS FOR

USE IN IMPLANTING A CERVICAL

DISC REPLACEMENT DEVICE

: Examiner: J. L. Cumberledge

: Group Art Unit: 3733

Enter/W RCE 6/26/08 B.Russ 7/9/08

AMENDMENT UNDER 37 CFR 1.116

X

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 8, 2008, finally rejecting claims 1-13, 20, and 21, please amend the above-identified U.S. patent application as follows: